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UNITED STATES DEPARTMENT OF AGRICULTURE

OFFICE OF THE SECRETARY

PLANT QUARANTINE AND CONTROL ADMINISTRATION

REVISED RULES AND REGULATIONS GOVERNING THE MOVEMENT OF PLANTS, PLANT PRODUCTS, AND OTHER QUARANTINED ARTICLES INTO AND OUT OF THE DIS- TRICT OF COLUMBIA

[Approved March 29, 1929; effective April 1, 1929]

INTRODUCTORY NOTE

This revision of the rules and regulations governing the movement of plants and plant products into and out of the District of Columbia, involves little if any change in the present practice of the department in making inspection and certification of such materials. The form and phraseology have been modified somewhat to provide for compliance with several special quarantines relating to such articles.

C. L. MARLATT,
Chief, Plant Quarantine and Control Administration.

I, R. W. Dunlap, Acting Secretary of Agriculture, have determined that, in order to control and eradicate and to prevent the dissemination of dangerous plant diseases and insect infections and infestations, in, into, and out of the District of Columbia, it is necessary to make and promulgate the following rules and regulations:

Now, therefore, under the authority conferred by the plant quarantine act of August 20, 1912 (37 Stat. 315), as amended, I do order that no plants or plant products or articles whose movement is restricted by Federal plant quarantines shall be moved or allowed to be moved, shipped, transported, or carried by any means whatever into or out of the District of Columbia, except in compliance with the said rules and regulations and such other rules, regulations, and notices of quarantine as may be promulgated under the authority of the said act.

Regulation 1. Definition.

The words "plants and plant products," whenever used in these regulations, shall include all greenhouse and field-grown florists' stock, trees, shrubs, vines, cuttings, grafts, scions, buds, fruit pits, and other seeds of fruit and ornamental trees and shrubs, and other plants and plant products.

Regulation 2. Unrestricted Plants and Plant Products.

The following classes of plants and plant products, not including, however, those which are covered by special quarantine and other restrictive orders now in force, nor such as may hereafter be made the subject of special quarantines, may be moved into or out of the District of Columbia without restriction:

(a) Fruits, vegetables, cereals, and other plant products transported for food, medicinal, or manufacturing purposes.

(b) Cut flowers, Christmas trees, and other parts of plants without roots and free from soil.

(c) Domestic-grown seeds of all kinds.

(d) Field, vegetable, and flower seeds of foreign origin.

**SHIPMENT OF PLANTS AND PLANT PRODUCTS AND OTHER RESTRICTED ARTICLES
INTO THE DISTRICT OF COLUMBIA**

Regulation 3. General Requirements.

Except as provided in regulation 2, plants and plant products, and articles whose movement is restricted by Federal plant quarantines, may be admitted into the District of Columbia only upon compliance with the following requirements:

(a) Each package must have attached to the outside thereof a certificate of inspection, indicating that the nursery from which the plants were taken was inspected within one year prior to the date of shipment, and signed by the State nursery or horticultural inspector of the State or Territory or country from which the plants or plant products were shipped.

(b) The package, bundle, or other container, must be plainly marked with the name and address of the consignor and the name and address of the consignee, and with the nature of the contents.

(c) No package, bundle, or other container, conveying restricted plants or plant products, shall be delivered to the consignee in the District of Columbia by any common carrier until its delivery is authorized by an inspector of the Plant Quarantine and Control Administration.

(d) Articles covered by special quarantine and other restrictive orders may be admitted only on compliance with such orders.

Regulation 4. Plants and Plant Products Addressed to the Department of Agriculture.

All plants and plant products prohibited, restricted or unrestricted, addressed to the United States Department of Agriculture, shall be delivered only to the inspection house of the Plant Quarantine and Control Administration (Twelfth and B Streets NW.).

Regulation 5. Shipments Which Fail to Comply With Regulations.

Any plant or plant product or other article transported into the District of Columbia in violation of these regulations or of any notice of quarantine¹ or any restrictive order promulgated under the authority of the plant quarantine act of August 20, 1912 (37 Stat. 315), as amended, or of any rule or regulation supplemental to such quarantine or order, shall be subject to destruction, treatment, or return to the point of origin at the expense of the owner or shipper, unless released by an inspector of the Plant Quarantine and Control Administration.

**SHIPMENT OF PLANTS AND PLANT PRODUCTS OUT OF THE DISTRICT OF
COLUMBIA**

Regulation 6. Control of Movement.

Except as provided in regulation 2, plants and plant products, and articles whose movement is restricted by Federal plant quarantines, shall not be moved or allowed to be moved interstate from the District of Columbia to any point outside thereof unless a certificate or a permit shall have been issued therefor by the Plant Quarantine and Control Administration. Each car, box, bale, or other container so moved shall have attached to the outside thereof the inspection certificate or permit required hereby, and no common carrier or other person shall accept for shipment, or remove such articles from the District of Columbia, unless such certificate or permit is so affixed.

Regulation 7. Conditions of Certification.

Certificates may be issued for the interstate movement of plants and plant products when such articles have been inspected and found apparently free from plant disease and insect infections and infestations and when such shipment is found to comply in full with all other quarantine regulations and restrictive orders applicable thereto.

Regulation 8. Place and Time of Inspection.

Plants and plant products other than those listed in Regulation 2, which are to be shipped out of the District of Columbia must be presented at the inspection house of the Plant Quarantine and Control Administration (Twelfth and B

¹ See list of domestic quarantines in Appendix B.

Streets, NW) for inspection at the time of shipment, unless otherwise authorized by an inspector of the Plant Quarantine and Control Administration. In cases of large shipments, arrangements may be made for inspection at other places by calling Main 4650, branch 174, or addressing the Plant Quarantine and Control Administration.

Application for inspection of narcissus bulbs, five-leafed pines, currants and gooseberry plants, and other articles the movement of which is restricted by quarantine regulations or other restrictive orders, shall be made at a season of the year and sufficiently in advance of the contemplated date of shipment to provide for compliance with such regulations.

These revised rules and regulations shall be effective on and after April 1, 1929, and shall supersede the rules and regulations governing the movement of plants and plant products into and out of the District of Columbia, promulgated August 26, 1920.

Done at the city of Washington this 29th day of March, 1929.

Witness my hand and seal of the United States Department of Agriculture.

[SEAL.]

R. W. DUNLAP,
Acting Secretary of Agriculture.

APPENDIX A

Authority for the above regulations is given in the amendment to the plant quarantine act of August 20, 1912, contained in the act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921, approved May 31, 1920. This amendment was as follows:

"SEC. 15. That in order further to control and eradicate and to prevent the dissemination of dangerous plant diseases and insect infections and infestations, no plant or plant products for or capable of propagation, including nursery stock, hereinafter referred to as plants and plant products, shall be moved or allowed to be moved, shipped, transported, or carried by any means whatever into or out of the District of Columbia, except in compliance with such rules and regulations as shall be prescribed by the Secretary of Agriculture as hereinafter provided. Whenever the Secretary of Agriculture, after investigation, shall determine that any plants and plant products in the District of Columbia are infested or infected with insect pests and diseases and that any place, articles, and substances used or connected therewith are so infested or infected, written notice thereof shall be given by him to the owner or person in possession or control thereof, and such owner or person shall forthwith control or eradicate and prevent the dissemination of such insect pest or disease and shall remove, cut, or destroy such infested and infected plants, plant products, and articles and substances used or connected therewith, which are hereby declared to be nuisances, within the time and in the manner required in said notice or by the rules and regulations of the Secretary of Agriculture. Whenever such owner or person can not be found, or shall fail, neglect, or refuse to comply with the foregoing provisions of this section, the Secretary of Agriculture is hereby authorized and required to control and eradicate and prevent dissemination of such insect pest or disease and to remove, cut, or destroy infested or infected plants and plant products and articles and substances used or connected therewith, and the United States shall have an action of debt against such owner or persons for expenses incurred by the Secretary of Agriculture in that behalf. Employees of the Federal Horticultural Board are hereby authorized and required to inspect places, plants, and plant products and articles and substances used or connected therewith whenever the Secretary of Agriculture shall determine that such inspections are necessary for the purposes of this section. For the purpose of carrying out the provisions and requirements of this section and of the rules and regulations of the Secretary of Agriculture made hereunder, and the notices given pursuant thereto, employees of the Federal Horticultural Board shall have power with a warrant to enter into or upon any place and open any bundle, package, or other container of plants or plant products whenever they shall have cause to believe that infections or infestations of plant pests and diseases exist therein or thereon, and when such infections or infestations are found to exist, after notice by the Secretary of Agriculture to the owner or person in possession or control thereof and an opportunity by said owner or person to be heard, to destroy the infected or infested plants or plant products contained therein. The police court or the municipal court of the District of Columbia shall have power, upon information

supported by oath or affirmation showing probable cause for believing that there exists in any place, bundle, package, or other container in the District of Columbia any plant or plant product which is infected or infested with plant pests or disease, to issue warrants for the search for and seizure of all such plants and plant products. It shall be the duty of the Secretary of Agriculture, and he is hereby required, from time to time, to make and promulgate such rules and regulations as shall be necessary to carry out the purposes of this section, and any person who shall move or allow to be moved, or shall ship, transport, or carry, by any means whatever, any plant or plant products from or into the District of Columbia, except in compliance with the rules and regulations prescribed under this section, shall be punished, as is provided in section 10 of this act."

APPENDIX B

DOMESTIC PLANT QUARANTINES RELATING TO THE CONTINENTAL UNITED STATES

The following list includes domestic plant quarantines issued prior to April 1, 1929. Under regulation 5 as given on a preceding page "any plant or plant product or other article transported into the District of Columbia in violation of [the quarantines listed below as well as any quarantines issued subsequent to the date hereof] shall be subject to destruction, treatment, or return to the point of origin at the expense of the owner or shipper, unless released by an inspector of the Plant Quarantine and Control Administration." Certificates may be issued for the interstate movement from the District of Columbia of articles whose movement is restricted by such quarantines only "when such shipment is found to comply in full with all * * * quarantine regulations and restrictive orders applicable thereto."

Date palms.—Quarantine No. 6 prohibits, except as provided in the rules and regulations supplemental thereto, the interstate movement of date palms and date-palm offshoots from Riverside County, Calif., east of the San Bernardino meridian; Imperial County, Calif.; Yuma, Maricopa, and Pinal Counties, Ariz.; and Webb County, Tex., on account of the Parlatoria scale (*Parlatoria blanchardi*) and the Phoenicoccus scale (*Phoenicoccus marlatti*).

Black-stem rust.—Quarantine No. 38, as amended, prohibits the movement interstate to any point outside of the quarantined area of the common barberry (*Berberis vulgaris*) and its horticultural varieties as well as certain other species of *Berberis* and *Mahonia*, on account of the black-stem rust of wheat, oats, barley, rye, and many wild and cultivated grasses.

European corn borer.—Quarantine No. 43, revised, prohibits, except as provided in the rules and regulations supplemental thereto, the movement interstate to any point outside of the quarantined area of (1) corn and broomcorn (including all parts of the stalk), all sorghums, sudan grass, celery, green beans in the pod, beets with tops, rhubarb, oat and rye straw as such or when used as packing, cut flowers or entire plants of chrysanthemum, aster, cosmos, zinnia, hollyhock, and cut flowers or entire plants of gladiolus and dahlia, except the bulbs thereof without stems, from the State of Rhode Island and from infested areas in Maine, New Hampshire (eastern section), Massachusetts (eastern section), Connecticut (eastern section), and from Fishers Island in Suffolk County, N. Y., and (2) corn and broomcorn (including all parts of the stalk), all sorghums, and sudan grass from infested areas in Vermont, New Hampshire (western section), Massachusetts (western section), Connecticut (western section), New York, New Jersey, Pennsylvania, Ohio, Michigan, Indiana, and West Virginia.

Gypsy moth and brown-tail moth.—Quarantine No. 45 prohibits, except as provided in the rules and regulations supplemental thereto, the movement interstate to any point outside of the infested area, or from points in the generally infested area to points in the lightly infested area, of stone or quarry products, and of the plants and plant products listed therein. The quarantine covers all the New England States.

Japanese beetle.—Quarantine No. 48, revised, prohibits, except as provided in the rules and regulations supplemental thereto, the movement interstate to any point outside of the State of New Jersey and the regulated areas of Connecticut, Delaware, Maryland, New York, Pennsylvania, and Virginia and the District of Columbia of (1) farm, garden, and orchard products of all kinds; (2) grain and forage crops of all kinds; (3) nursery, ornamental, and greenhouse stock, and all other plants; and (4) sand, soil, earth, peat, compost, and manure.

Pink bollworm.—Quarantine No. 52, revised, prohibits, except as provided in the rules and regulations supplemental thereto, the interstate movement from the regulated areas of Texas, Arizona, and New Mexico of (1) cotton, including all parts of the plant, seed cotton, cotton lint, linters, and all other forms of unmanufactured cotton lint, gin waste, cottonseed, cottonseed hulls, cottonseed cake and meal; (2) bagging and other containers and wrappers of cotton and cotton products; (3) railway cars, boats, and other vehicles which have been used in conveying cotton and cotton products or which are fouled with such products; (4) hay and other farm products; and (5) farm household goods, farm equipment, and, if contaminated with cotton, any other articles.

Satin moth.—Quarantine No. 53, revised, prohibits the interstate movement to points outside of the regulated areas in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, and Washington of all species or varieties of poplar and willow trees or parts thereof capable of propagation.

Thurberia weevil.—Quarantine No. 61, revised, prohibits the interstate movement of *Thurberia*, including all parts of the plant, from any point in Arizona, and prohibits, except as provided in the rules and regulations supplemental thereto, the interstate movement from the regulated area of Arizona of (1) cotton, including all parts of the plant, seed cotton, cotton lint, linters, and all other forms of unmanufactured cotton lint, gin waste, cottonseed, cottonseed hulls, and cottonseed cake and meal; (2) bagging and other containers and wrappers of cotton and cotton products; (3) railway cars, boats, and other vehicles which have been used in conveying cotton and cotton products, or which are fouled with such products; (4) hay and other farm products; and (5) farm household goods, farm equipment, and if contaminated with cotton, any other articles.

Narcissus bulbs.—Quarantine No. 62 prohibits, except as provided in the rules and regulations supplemental thereto, the interstate movement from every State in the continental United States and the District of Columbia of narcissus bulbs, on account of certain injurious bulb pests, including the greater bulb fly (*Merodon equestris* Fab.), the lesser bulb fly (*Eumerus strigatus* Fallen), and the bulb eelworm (*Tylenchus dipsaci* Kuehn).

White-pine blister rust.—Quarantine No. 63 prohibits, except as provided in the rules and regulations supplemental thereto, the interstate movement from every State in the continental United States and the District of Columbia of five-leafed pines (*Pinus*) or currant and gooseberry plants (*Ribes* and *Grossularia*, including cultivated or wild or ornamental sorts).

Mexican fruit worm.—Quarantine No. 64 prohibits, except as provided in the rules and regulations supplemental thereto, the interstate movement from the regulated area of Texas of fruits of all varieties.

Woodgate rust.—Quarantine No. 65 prohibits the interstate movement from the regulated area in the State of New York of trees, branches, limbs, or twigs of Scotch pine (*Pinus sylvestris*), Canary Island pine (*P. canariensis*), slash pine (*P. caribaea*), Japanese red pine (*P. densiflora*), Corsican pine (*P. nigra poiretiana*), stone pine (*P. pinea*), western yellow pine (*P. ponderosa*), Monterey pine (*P. radiata*), loblolly pine (*P. taeda*), or Jersey pine (*P. virginiana*), or any variety thereof, or of any species or variety of hard pine hereafter found to be susceptible to the Woodgate rust.

Asiatic beetle and Asiatic garden beetle.—Quarantine No. 66 prohibits, except as provided in the rules and regulations supplemental thereto, the interstate movement from the State of New Jersey and from the regulated areas of Connecticut, New York, Pennsylvania, and Virginia and the District of Columbia of (1) nursery, ornamental, and greenhouse stock, and all other plants; and (2) sand, soil, earth, peat, compost, and manure.





